

1 SOLOMON E. GRESEN [SBN: 164783]  
2 JOSEPH M LEVY [SBN: 230467]  
3 **LAW OFFICES OF RHEUBAN & GRESEN**  
4 15910 VENTURA BOULEVARD, SUITE 1610  
5 ENCINO, CALIFORNIA 91436  
6 TELEPHONE: (818) 815-2727  
7 FACSIMILE: (818) 815-2737

2011 JUN -2 AM 10:25

8 Attorneys for Plaintiff, Steve Karagiosian

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF LOS ANGELES

11 OMAR RODRIGUEZ; CINDY GUILLEN-  
12 GOMEZ; STEVE KARAGIOSIAN;  
13 ELFEGO RODRIGUEZ; AND JAMAL  
14 CHILDS,

15 Plaintiffs,

16 -vs-

17 BURBANK POLICE DEPARTMENT; CITY  
18 OF BURBANK; AND DOES 1 THROUGH  
19 100, INCLUSIVE.

20 Defendants.

21 BURBANK POLICE DEPARTMENT; CITY  
22 OF BURBANK,

23 Cross-Complainants,

24 -vs-

25 OMAR RODRIGUEZ, and Individual,

26 Cross- Defendant.

CASE NO.: BC 414 602

Assigned to: Hon. Joanne B. O'Donnell, Judge  
Dept. 37

Complaint Filed: May 28, 2009

PLAINTIFF'S REPLY TO DEFENDANT'S  
OPPOSITION TO PLAINTIFF'S MOTION *IN*  
*LIMINE* NO. 1 TO EXCLUDE EVIDENCE  
REGARDING LAWSUITS FILED BY THE  
OTHER PLAINTIFFS HEREIN;  
DECLARATION OF STEVEN M. CISCHKE

Final Status Conference:

DATE: June 8, 2011  
TIME: 9:00 a.m.  
DEPT: 37

Trial Date: June 8, 2011

1 **I. PLAINTIFF HAS MET AND CONFERRED IN COMPLIANCE WITH LOCAL RULES**

2 As stated in the Declaration of Steven M. Cischke accompanying Plaintiff's Motion in  
3 *Limine* No. 1, on March 31, 2011, Mr. Cischke emailed a letter to Lawrence A. Michaels, counsel for  
4 Defendant, in an attempt to meet and confer regarding Plaintiff's motions in *limine*. Nowhere in the  
5 letter does it indicate that the motions discussed therein would only be filed in the Cindy Gomez  
6 trial. The subject line references "*Rodriguez v. Burbank Police Department, et al.*" and not any of  
7 the individual related cases. Plaintiff has not filed any motions in the Steve Karagiosian trial that  
8 were not discussed in the March 31 letter. All of the motions in *limine* Plaintiff has filed with  
9 respect to Plaintiff Steve Karagiosian's trial were discussed in the March 31, 2011. Those motions  
10 were argued during a pre-trial conference for the Guillen-Gomez trial. Defendant argues in its  
11 opposition to Plaintiff's Motion in *Limine* No. 1 that the court denied the motion with respect to the  
12 Guillen-Gomez trial. Thus, it is clear that "the subject of the motion has been discussed with  
13 opposing counsel," in compliance with local rules, and Defendant's argument that counsel has not  
14 met and conferred with respect to the motion, and is guilty of fraud, is unfounded.

15 **II. DEFENDANT DOES NOT ARGUE THAT THE STATUS**  
16 **OF THE OTHER CASES IS RELEVANT**

17 In its opposition, Defendant states that it "presently intends to offer evidence relating  
18 to the facts presented and claims made by other plaintiffs for impeachment purposes only."  
19 (Defendant City of Burbank's Opposition, etc., p. 2, ll. 13-14.) Defendant does not claim that it  
20 intends to admit evidence regarding the status of the other plaintiffs' cases. Nor does Defendant  
21 argue that such evidence is relevant, or that such evidence should not be excluded pursuant to  
22 Evidence Code §352. Therefore, Plaintiff respectfully submits that such evidence should properly be  
23 excluded for the reasons set forth in his moving papers.

24  
25 DATED: May 31, 2011

LAW OFFICES OF RHEUBAN & GRESEN

26  
27 By: Steven M. Cischke  
Steven M. Cischke  
28 Attorneys for Plaintiff, Steve Karagiosian